

REMARKS/ARGUMENTS

The present Amendment and Response comprises Applicant's reply to the Examiner's non-final Office Action mailed on May 22, 2009. Claims 1-6, 9-15, 22-28, and 41-45 are cancelled and Claim 32 is amended. Accordingly, Claims 7, 8, 16-21, and 29-40 are now pending in view of the above amendments.

Applicant believes that no new matter has been added with regard to the claim amendments provided herein. Applicant does not donate or disclaim any claims or subject matter with the claim amendments made herein, and the Applicant expressly reserves the right to prosecute the original claims or any unclaimed subject matter in one or more future filed continuing applications. Also, Applicant's arguments related to each cited reference are not an admission that the cited references are, in fact, prior art.

I. Examiner's Interview

Applicant's Attorney expresses his sincere appreciation to the Examiner for conducting a telephone interview with Scott Bialecki, Applicant's Attorney of record, on July 8, 2009. An Interview Summary was prepared by the Examiner and mailed on July 13, 2009. The Applicant's Attorney is in agreement with the Examiner's Summary as set forth in the Interview Summary, including the claims and prior art discussed.

It is noted to the Examiner's attention that a minor adjustment has been made in the wording of Claim 32 from that stated in the Interview Summary.

II. Allowed Subject Matter

Applicant expresses his appreciation for the Examiner indicating that Claims 7, 8, 16-21, and 29-31 are allowable.

Applicant further expresses his appreciation for the Examiner indicating that Claims 34-36 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

III. 35 U.S.C. §112 Rejection of Claims 32-40

The Applicant has amended Claim 32 to overcome the 35 U.S.C. §112, second paragraph, rejection of Claim 32 and its dependent claims. Accordingly, withdrawal of the rejection is respectfully requested.

IV. 35 U.S.C. §102(e) Rejection of Claims 32-33, and 37-40

Consistent with the agreement formed during the Examiner's Interview, Applicant has amended independent Claim 32 to put it in a condition for allowance. Accordingly, objected to Claims 34-36 that depend directly or indirectly from Claim 32 are now also in condition for allowance, as are the remaining claims that depend from Claim 32. Support for the amendment to Claim 32 is provided in at least Fig. 17 of the present application. Applicant believes that no new matter has been added. Accordingly, the Examiner is respectfully requested to withdraw the 35 U.S.C. §102(e) rejection of Claim 32 and its dependent claims, namely, Claims 33-40.

CONCLUSION

In view of the foregoing, and consistent with the tentative agreement reached during the Examiner's Interview, Applicant believes the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Applicant believes no fees are due for this submission. However, please credit any over payment or debit any under payment to Deposit Account No. 08-2665.

Application No. 10/776,094
Amendment dated July 31, 2009
Reply to Office Action mailed May 22, 2009

Respectfully submitted,

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